

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN P. "JACK" FLYNN and LESLIE A. FLYNN,

Plaintiffs,

-v-

CABLE NEWS NETWORK, INC.,

Defendant.

CIVIL ACTION NO. 21 Civ. 2587 (GHW) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is Defendant's motion for a discovery conference. (ECF Nos. 155–56 (the "Motion")). Plaintiffs oppose the Motion. (ECF No. 161). The Court deems a conference unnecessary at this time, and orders as follows:

1. By **August 3, 2023**, Defendant may serve an interrogatory on Plaintiff Leslie Flynn ("Ms. Flynn") regarding how her February 6, 2021 text messages with Mary Ellen Sullivan (the "Feb. 6 Texts") were deleted or not preserved. Ms. Flynn shall provide a sworn response by **August 10, 2023**.
2. Defendant may continue its efforts to serve a subpoena on Barbara Redgate, and, if successful, may depose her despite the fact that discovery is closed. By **September 8, 2023**, Defendant shall file a letter advising of the status of its efforts to serve and depose Ms. Redgate.
3. The Court deems all discovery closed as of July 7, 2023, apart for the limited fact discovery permitted by this order.
4. Defendant's Motion is otherwise DENIED.

5. To the extent either party seeks to file a motion for summary judgment, the parties are referred to the Individual Rules of the Honorable Gregory H. Woods.

The Clerk of Court is respectfully directed to close ECF No. 155 and ECF No. 156.

Dated: New York, New York
 July 27, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge